

REMARKS**Claim Rejections – 35 U.S.C. § 102**

The Examiner has rejected claims 1-2, 6, 9, 12-13, 17, 19-20, 24, and 27 under 35 U.S.C. §102(e), as being anticipated by Bates et al. (U.S. Patent No. 7,080,402) (“Bates”). For the reasons set forth below, Applicant asserts that the cited references fail to anticipate Applicant’s invention as claimed in claims 1-2, 6, 9, 12-13, 17, 19-20, 24, and 27.

Bates discloses applications/functions within an electronic processing device having a GPS card and antenna, such as a laptop or personal digital assistant, can be enabled only when in a specified geographic location. (Bates abstract) Bates further discloses “the geographic location of the electronic processing device is determined, preferably by using the GPS signals received using GPS processing electronics installed in the device.” (Bates, column 7, lines 13-16)

With respect to independent claim 1 in the presently claimed invention, Applicant teaches and claims:

“A method, comprising, establishing a connection between a wireless electronic device and one or more supervisory devices associated with a local area of wireless coverage, the wireless electronic device sending device preference and capability information to at least one of the one or more supervisory devices, at least one of the one or more supervisory devices sending local area preference and restriction information to the wireless electronic device, and

determining which functions are available for use on the wireless device in the local area using the device preference and capability information and the local area preference and restriction information.”

(Claim 1) (Emphasis added)

Applicant asserts that Bates does not anticipate Applicant’s invention as claimed in independent claim 1 because Bates does not teach at least the wireless electronic device sending device preference and capability information to at least one of the one or more supervisory devices. In the previous office action, the Examiner attempts to equate global positioning system (GPS) satellites and ground-based stations as being the same as Applicant’s local area supervisory devices. With the newly amended claim language, this is no longer possible. GPS is, by definition, a one way communication technology. GPS satellites and stations send out location information to GPS receivers and the receivers calculate their locations based on that information. GPS satellites and stations do not receive information from the GPS receiver devices. Thus, Bates’ GPS satellites and stations do not anticipate Applicant’s local area supervisory devices because the supervisory devices receive information from the wireless device (specifically claimed in the limitation highlighted above in claim 1). Therefore, because Bates at least does not teach the wireless electronic device sending device preference and capability information to at least one of the one or more supervisory devices, Applicant respectfully submits that Bates does not anticipate independent claim 1 of Applicant’s invention.

Applicant has cancelled claims 12-18.

In regard to independent claim 19, Applicant respectfully submits that Bates does not anticipate Applicant’s invention at least for the same reasons as independent claim 1.

Again, Bates does not teach at least the wireless electronic device sending device preference and capability information to at least one of the one or more supervisory devices. Thus, Applicant respectfully submits that Bates does not anticipate independent claim 19 of the presently claimed invention.

Claims 2, 6, 9, 20, 24, and 27 depend from and further limit independent claims 1 and 19, respectively. Thus, for at least the same reasons advanced above with respect to independent claims 1 and 19, Applicant respectfully submits that Bates does not anticipate claims 2, 6, 9, 20, 24, and 27.

Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. 102(e) rejection of claims 1-2, 6, 9, 12-13, 17, 19-20, 24, and 27.

Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 3-4, 5, 7, 10-11, 14-16, 18, 21-23, 25, and 28-29 under 35 U.S.C §103(a), as being unpatentable over Bates. Again, claims 12-18 have been cancelled. Claims 3-4, 5, 7, 10-11, 21-23, 25, and 28-29 are dependent upon independent claims 1 and 19, respectively. Thus, for at least the same reasons advanced above with respect to independent claims 1 and 19, Applicant respectfully submits that Bates does not render these dependent claims obvious. Thus, because Bates does not teach, suggest, or render obvious Applicant's invention as claimed in pending claims 3-4, 5, 7, 10-11, 21-23, 25, and 28-29, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection of claims 3-4, 5, 7, 10-11, 14-16, 18, 21-23, 25, and 28-29.

The Examiner has rejected claims 8 and 26 under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Daniels et al. (U.S. Application No. 2004/0259574)

("Daniels"). Applicant asserts that the cited references fail to teach, suggest, or render obvious Applicant's invention as claimed in claims 8 and 26.

Daniels teaches a system and method for consolidating user privacy preferences for location-based services. A mobile user is able to control the service providers to which the mobile user's location is transmitted as well as control the service providers from which the user wishes to receive content. (Daniels abstract)

Claims 8 and 26 are dependent upon independent claims 1 and 19, respectively. Thus, for at least the same reasons advanced above with respect to independent claims 1 and 19, Applicant respectfully submits that Bates and Daniels, each taken alone or in combination, do not render these dependent claims obvious. Therefore, because Bates and Daniels, each taken alone or in combination do not teach, suggest, or render obvious Applicant's invention as claimed in pending claims 8 and 26, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection of claims 8 and 26.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 50-0221. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Derek J. Reynolds at (916) 356-5374.

Respectfully Submitted,

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